



U.S. General Services Administration
Office of Government-wide Policy
Motor Vehicle Policy

Federal Motor Vehicle Regulations and Policies

Connie Aaron

Motor Vehicle Policy

GSA Office of Government-wide Policy

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Profile: Federal Motor Vehicle Fleets

- **Total Inventory 661,628**
 - Increased 3.3% over FY 2015
- **Miles traveled 4.88 billion**
- **Operating costs \$3.7 billion**
- **22 large fleets (>2,000)**
- **Fleet Composition Vehicle Type**
 - Trucks 62%
 - Sedans 36%
 - Buses/Ambulances <2%
- **Fleet Composition Agencies**
 - USPS 34%
 - Civilian 39%
 - Military 27%
- **Fleet Composition Sources**
 - Agency-owned 70%
 - GSA Fleet 29%
 - Commercial lease <1%

Framework

- **Law**
- **Regulation**
- **Bulletin**
- **Agency Policy**
- **Executive Order**
- **OMB Circular**
- **Comptroller General Decisions**
- **Office of General Counsel
Guidance**
- **Informed Decision-making**

Federal Property & Administrative Services Act 1949 (as amended) = Statutory law

- Established the General Services Administration**
- Provides GSA broad authorities for property management and oversight**
- Authorizes GSA to issue regulations that are published in the Code of Federal Regulations (CFR) and are considered administrative law**

Sources of Information

- **Federal Register (www.gpoaccess.gov/fr)**
 - daily publication site for Executive Orders, Regulations, Agency notices, etc.
- **Code of Federal Regulations (www.gpoaccess.gov/cfr)**
 - integrated publication of permanent rules (50 titles)
- **Federal Property Management Regulation & Federal Management Regulation (FPMR & FMR) (www.gsa.gov/fmr)**
- **Federal Acquisition Regulation (FAR) (www.gsa.gov/far)**
- **Individual Agency Regulation**

Regulations

- **Federal Property Management Regulation & Federal Management Regulation (FPMR & FMR)**
 - **41 CFR 101-26.501 (Purchase of New Motor Vehicles)**
 - **41 CFR 101-39 (Interagency Fleet Management Systems = GSA Fleet)**
 - **41 CFR 102-5 (Home-to-Work Transportation)**
 - **41 CFR 102-34 (Motor Vehicle Management)**
 - **41 CFR 102-39 (Replacement of Personal Property Pursuant to the Exchange/Sale Authority)**

41 CFR 102-34 (Motor Vehicle Management)

- **Plain language, question/answer format**
- **Defines terms (vehicle types, sources of supply, etc.)**
- **Defines scope (Military design vehicles excluded, law enforcement vehicles excluded from most provisions)**

Subpart A - Obtaining Fuel Efficient Motor Vehicles

Purchase & Lease vehicles that:

- **Achieve maximum fuel efficiency**
- **Have body types, engine sizes, and options essential to agency mission**

Subpart B - Obtaining Fuel Efficient Motor Vehicles

- **Purchase and lease vehicles that achieve maximum fuel efficiency**
- **Have body types, engine sizes, and options essential to agency mission**
- **Establish and document a structured vehicle allocation methodology**
- **Fleet average fuel economy standards published each year by the Department of Transportation (www.dot.gov)**

Subpart C - Identifying & Registering Motor Vehicles

Display identification that indicates:

- **“For Official Use Only” & “U.S. Government”**
- **Identification of the agency or service that owns or leases the vehicle (seal or tag code)**
- **Federal license plate is the preferred location**

Register vehicles in the Federal Motor Vehicle Registration System

- **Agency Fleet Manager coordinates this effort**

Subpart C - Identifying & Registering Motor Vehicles

- **Obtain U. S. Government license plates from Federal Prison Industries (UNICOR)**
- **Include the letter code assigned to the agency that owns the vehicle**
- **Display on front and rear of vehicle**
- **DC based vehicles = Require U.S. Govt. plates unless exempt**

Subpart C - Identifying & Registering Motor Vehicles

Exemptions to Government license plates and identification:

- **Limited (Agency head authorizes, up to three years) can now include administrative vehicles**
- **Unlimited (investigative, law enforcement, intelligence, or security duties)**
- **Special (President & heads of Executive Departments)**

Subpart D- Official Use of Government Vehicles

Official Use is:

Using a motor vehicle to perform your agency's mission(s), as authorized by your agency

Subpart D - Official Use of Government Vehicles

Misuse of Government motor vehicles:

- **Incidents reported to employing agency**
- **Minimum one month suspension, up to removal**



Subpart D- Official Use of Government Vehicles

Driver responsibilities:

- **Operate, park, store, and lock as appropriate to prevent theft or damage**
- **Obey all State and Local traffic laws**
- **Use all safety devices including seat belts**
- **Pay any parking fees and fines**

Subpart E - Replacement of Motor Vehicles

Minimum replacement standards:

- **Sedans - 3 years/60,000 miles**
- **Buses - Mileage only**
- **Trucks - By class, 6 years/50,000 miles minimum**

Subpart F - Scheduled Maintenance of Motor Vehicles

Requires scheduled maintenance programs:

- **Meet emission standards**
- **Meet warranty requirements**
- **Ensure safe & economical operation**
- **Meet manufacturer recommendations**

Subpart G - Motor Vehicle Crash Reporting

Report crashes as follows:

- **SF 91 - “Motor Vehicle Accident Report”**
- **SF 94 - “Statement of Witness”**
- **Follow internal agency directives for owned & leased vehicles**
- **Report crashes of GSA Fleet vehicles to GSA Fleet**

Subpart H - Disposal of Motor Vehicles

Transfer ownership as follows:

SF 97-1 - “U.S. Government Certificate to Obtain Title to a Motor Vehicle” (Other forms may be required by jurisdiction)

Consult the following regulations for detailed instruction:

41 CFR Part 102-38 “Sale of Personal Property”

41 CFR Part 102-39 “Replacement of Personal Property Pursuant to the Exchange/Sale Authority”

Subpart I - Motor Vehicle Fueling

Obtain fuel by:

Government charge card, fuel facility, or reimbursement (See OMB Circular A-123 for Gov't. charge card guidance)

Refuel using:

The fuel type & minimum grade recommended by the vehicle manufacturer

Subpart J - Federal Motor Vehicle Fleet Report

- **The Federal Fleet Report (FFR) compiles:**
 - **Inventory, Acquisition, Cost, Mileage and Fuel Use data for Federal motor vehicles**
- **Reported annually through the Federal Automotive Statistical Tool (FAST) at:
<http://fastweb.inel.gov>**
- **FAST also used to submit data for Energy Policy Act (DOE) & OMB Circular A-11 Budget (OMB)**

Regulatory Bulletins

Informational in nature – Guidance, not mandates

- **FMR B-1 Acquisition and display of official U.S. Government license plates and other motor vehicle identification**
- **FMR B-2 Use of hand-held wireless telephones**
- **FMR B-3 Use of tobacco products in motor vehicles**
- **FMR B-6 Proceeds from sale of agency-owned vehicles**
- **FMR B-11 U.S. Government License Plate Codes**
- **FMR B-15 Requirements for MIS in Federal Vehicle Fleets**
- **FMR B-19 Increasing the Fuel Efficiency of the Federal Motor Vehicle Fleet**
- **FMR B-28 Federal Employee Transportation and Shuttle Services**
- **FMR B-29 Accurately Reporting Passenger Vehicle Inventory in FAST**
- **FMR B-30 Vehicle Allocation Methodology for Agency Fleets**
- **FMR B-31 Government Motor Vehicle Fueling During Market Shortages**
- **FMR B-32 Posting Executive Fleet Vehicles on Agency Websites**
- **FMR B-33 Alternative Fuel Vehicle Guidance for Law Enforcement and Emergency Vehicle Fleets**
- **FMR B-35 Home to Work Transportation**
- **FMR B-38 Indirect Costs of Motor Vehicle Fleet Operations**

41 CFR 102-5 Home to Work

Employees not covered by HTW:

- **Employees who are on official travel (TDY); or**
- **Employees who are on permanent change of station (PCS) travel; or**
- **Employees who are essential for the safe and efficient performance of intelligence, counterintelligence, protective services, or criminal law enforcement duties when designated in writing as such by their agency head.**

41 CFR 102-5 Home to Work

- HTW for employees is generally NOT allowed
- Employees may be approved HTW by the head of the agency for—
 - Field work (up to 2 years)
 - Clear and present danger (15 days)
 - Compelling operational consideration (15 days)
 - Emergency (15 days)
 - Approved by person or specific job position
- Approval authority may not be delegated!
- Field work means official work requiring the employee's presence at various locations other than his/her regular place of work. (Multiple stops(itinerant-type travel) within the accepted local commuting area, limited use beyond the local commuting area, or transportation to remote locations that are only accessible by Government-provided transportation.)

Miscellaneous Non-Energy Related

- **Executive Order- 2009- FEDERAL LEADERSHIP ON REDUCING TEXT MESSAGING WHILE DRIVING**
 - Agency issued internal guidance
 - FAR Citation- Encouraging Contractor Policies to Ban Text Messaging While Driving
- **National Archives and Records Administration
GENERAL RECORDS SCHEDULE 10
Motor Vehicle and Aircraft Maintenance and Operation
Records**

OPM Regulates Drivers, not GSA

CFR Title 5 PART 930—

**PROGRAMS FOR SPECIFIC POSITIONS AND
EXAMINATIONS (MISCELLANEOUS)**

Subpart A—Motor Vehicle Operators

- Definitions**
- Medical Evaluations**
- Authorizations**
- Corrective Actions**

Where do I go for policy questions in my agency?

- **Agency Fleet Manager**
- **Agency General Counsel's office**
- **Agency Directives and Guidance Documents**

The screenshot shows a web browser window with multiple tabs open. The address bar displays www.gsa.gov/portal/content/104602. The GSA website navigation bar includes links for TRAVEL, REAL ESTATE, ACQUISITION, TECHNOLOGY, POLICY & REGULATIONS, and ABOUT US. The breadcrumb trail indicates the path: Home > Policy & Regulations > Policy > Vehicle Management Policy >.

VEHICLE MANAGEMENT POLICY

- > Overview
- Councils
- Exchange/Sale of Motor Vehicles
- Federal Fleet Reports
- Vehicle Management Library
- Shuttles to Transport Employees
- Telematics
- Who is my Agency Fleet Manager?

Motor Vehicle Management Policy Overview

Access the latest [Motor Vehicle Management Advisory Bulletins](#).

Motor vehicle management policy seeks to improve management and enhance the performance of the motor vehicle fleets operated by federal agencies.

These efforts involve:

- Continuous evaluation of federal motor vehicle management programs and policies;
- Examining new technologies and automated systems;
- Analyzing the impact of current and proposed regulations, laws, Executive Orders, and international agreements;
- Facilitating the Federal Fleet Policy Council (FEDFLEET); and
- Education and training of federal fleet management professionals.

Motor Vehicle Management Resources

CONTACTS

- [Vehicle Policy](#)
- [View Contact Details](#)

ADDITIONAL CONTACTS FOR

[Federal Vehicle Policy](#)

OGP MOTOR VEHICLE POLICY DIVISION

REFERENCE

- [Motor Vehicle Management Regulation](#)

The Windows taskbar at the bottom shows the time as 10:49 AM on 1/19/2016, with various system icons and application shortcuts.



U.S. General Services Administration
Office of Government-wide Policy
Motor Vehicle Policy

Federal Fleet Management: Frequently Asked Questions (FAQ)



Q? Can I use a GOV to...?



A! It depends:

- Official use means using a vehicle to perform your agency's mission *as defined and authorized by your agency*
- Contact agency fleet manager or general counsel for agency policy
- Personal liability (and DOJ defense) is based on local law under Federal Tort Claims Act
- Incidental use is a taxable benefit reported to the IRS; see <https://www.irs.gov/pub/irs-pdf/p5137.pdf>
- Perception- how would a taxpayer view the use of the vehicle?

Q? Can I drive my GOV home for TDY purposes?



A! Maybe!

- Home-to-Work regulations do not apply to employees on official travel.
 - Official travel orders must authorize GOV use.

Q? Can I drive my GOV in a foreign country?



A! Complicated.

- Many foreign countries do not recognize the U.S. Government self-insurance
- If your agency is not covered under a SOFA or other diplomatic treaty which specifically addresses liability issues.
- General Counsel's office of GSA has determined that an agency must purchase additional liability insurance to operate vehicles in foreign countries
- The Federal Torts Claims Act does not protect Federal employees outside the United States
- Contact your agency's General Counsel's office for assistance
- If short duration trips, consider commercial rentals that are inclusive of insurance in foreign countries.

Q? Can I transport my spouse/kids/neighbor in my GOV?



A! Maybe.

- Governmentwide regulations are silent. But your agency may have a policy
- Remember the Federal Tort Claims Act
- Who would be liable if something happened?
- Is a Federal employee being displaced? In other words, is it costing taxpayers?
- Again: perception. How does it look?

Q? Can a contractor drive a GOV?

A! Of course!

Applicable regulations:

- 41 CFR 102-34.21
- FAR 51.2- Contractor Use of GSA Fleet Vehicles
- 41 CFR 101-39.202 Contractor Authorized Services

Considerations:

- Has the contracting officer authorized use of GOV's?
- Does the contractor have liability insurance?
- Do drivers have state drivers license for applicable vehicle type?



Q? Can I transport a non-Federal passenger in my GOV?

A! For work, yes.



- Official use is performing your mission as defined & authorized by the agency
- Official use can include transporting a non-Fed
- **Federal Tort Claims Act covers Federal employees in scope of employment**
- Contact your agency fleet manager and/or general counsel for policy guidance

Q? At the end of the day can I ride my agency shuttle to the subway station?



A! Yes!

- Transportation Equity Act of 2005 specifically allows this
- Agencies may operate shuttles to transport employees between place of business and mass transit stations for the purpose of facilitating commute
- Head of the agency must make a determination

Q? Who pays for tolls?



A! Federal agencies are required to pay tolls

- Reimbursable expense
- Agencies may set up accounts with "EZ Pass" or similar
- Tolls are not included in GSA Fleet lease rates
- Tolls may not be paid with GSA Fleet fuel card

Can I use the express or hot lane in a GOV?

- Drivers do have to pay for any tolls incurred while driving a GOV
- GSA does not regulate local travel
- Agency decision
 - Mission essential
 - Saves government time and money
 - Not for the convenience of the employee
- Agency policy also dictates whether use the purchase, travel or fleet card- GSA Smartpay neutral
- Home to Work Transportation- proximity of work location to home and cost analysis

Q? Who pays for tickets?



A! Employees are personally responsible for tickets/fines

- NOT a reimbursable expense
- Appropriated funds may not be used
- Tickets mailed to agency must be delivered to employee

Q? Where do I report misuse of a GOV?

A! Lots of places!

- vehicle.policy@gsa.gov
- howsmydriving@gsa.gov
- Agency Fleet manager:
www.gsa.gov/vehiclepolicy



Q? What information do I include in a GOV misuse report?

A! If possible, include...

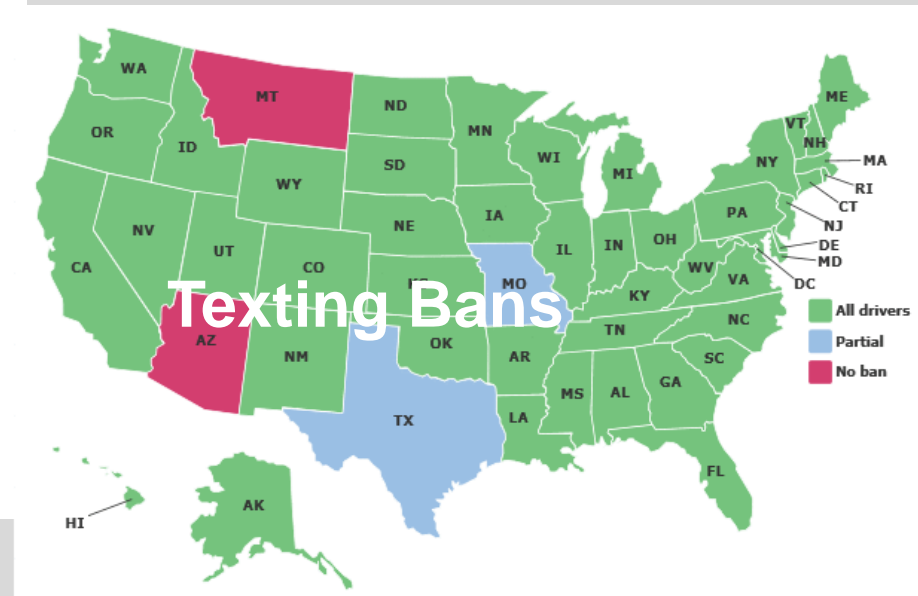
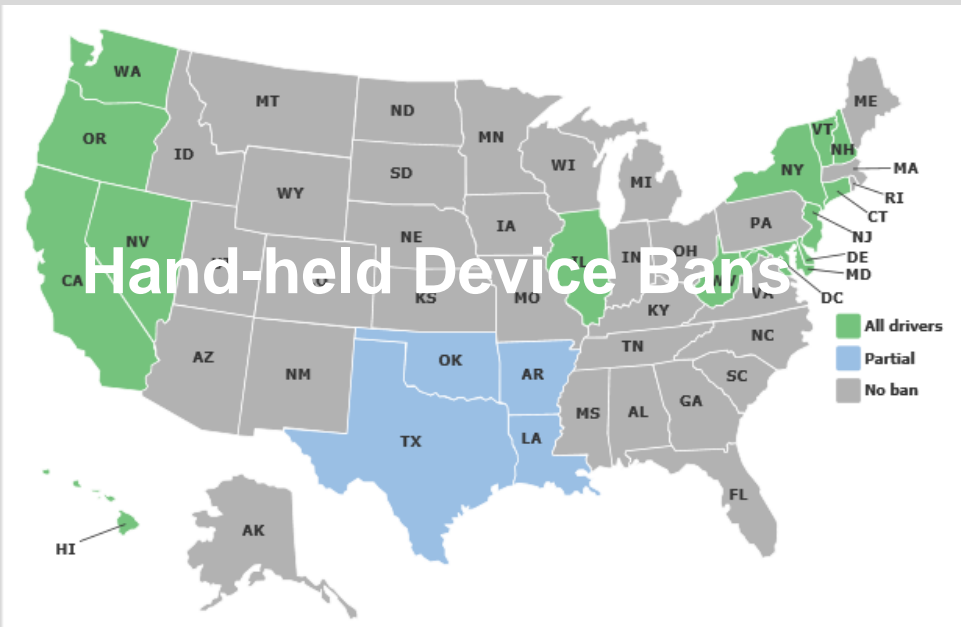
- License plate number
- Date and time of incident
- Location
- Activity that is the cause of your concern
- Description of vehicle
- Description of driver and passengers



What is the policy on cell phone use in a GOV?

- **EO 13513 prohibits:**
 - **texting while driving a GOV**
 - **texting in a POV if using government furnished equipment**
- **FMR Bulletin-B2 advised agencies to develop a policy recommending use of wireless devices**
- **Many agencies have more restrictive policies on using devices while driving a GOV**
- **Federal employees must obey all State and local laws and ordinances while driving a GOV**

What is your locality or State law?



<http://www.iihs.org/iihs/topics/laws/cellphonelaws?topicName=distracted-driving>

<http://www.distraction.gov>

Can I carry a personal firearm in a GOV?

- **18 U.S. Code Chapter 44 - FIREARMS**
 - **Defines the terms**
 - **Possession of firearms and dangerous weapons in Federal facilities**
- **Agency Decision**
 - **Must obey all State and local laws**

What about localities that have legalized marijuana?

- **Agency policy**
- **Must take into consideration that marijuana is still a Schedule I controlled substance under the Controlled Substance Act**

Is the use of E-Cigarettes allowed in GOV's?

- On May 10 2016, the FDA published its [final rule on Electronic Nicotine Delivery Systems \(ENDS\)](#) which defines them as tobacco products.
- The [final rule](#) took effect on August 8, 2016.
- The use of electronic alternatives that produce nicotine or other vapors is also prohibited in federally owned or leased buildings.
- GSA OGP is drafting guidance to update FMR Bulletin B-3 to advise agencies to write internal policies on the prohibited use of tobacco products in federal vehicles to include electronic alternatives that produce nicotine or other vapors.

Rarely Asked Question

Q? My agency has acquired some tactical SWAT units. I don't have to report them in FAST, right?



A! Wrong! Those “tactical” police units are not military, they are civilian, purchased off GSA Schedules. Not exempt! Report them as “law enforcement.”

Very Rarely Asked Question

Q? My agency contains an intelligence activity that reports to the Director of National Intelligence. Is it exempt?



A! Nope. An intelligence activity that is part of a larger agency is subject to the same requirements as the rest of the agency (one exception). The vehicles are not exempt.

Need Help?

**GSA Office of Governmentwide Policy
Fleet Policy Division**

**www.gsa.gov/vehiclepolicy
vehicle.policy@gsa.gov**

**GSA Federal Acquisition Service
GSA Fleet**

**www.gsa.gov/gsafleet
gsafleet@gsa.gov**

You've Got Motor Vehicle Policy Questions?

We've Got Answers

Vehicle.Policy@GSA.Gov

